

U.S. DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
FILED MAR 26 2019  
WILLIAM W. BLEVINS  
CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

\* CRIMINAL DOCKET NO: 18-262

v.

\* SECTION: "L"

AARON SPRIGGS  
TERBEN POUMIAN-RAMIREZ  
RAFAEL MARTINEZ  
LUIS MARTINEZ-VEGA


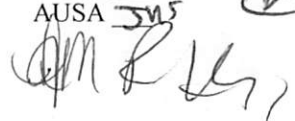
\* VIOLATIONS: 21 U.S.C. § 841(a)(1)  
21 U.S.C. § 841(b)(1)(C)  
\* 21 U.S.C. § 846  
18 U.S.C. § 4

\* \* \*

FACTUAL BASIS

Should this matter proceed to trial, the United States would prove defendants Aaron SPRIGGS, Terben POUMIAN-RAMIREZ, and Rafael MARTINEZ guilty beyond a reasonable doubt of conspiracy to possess with the intent to distribute a quantity of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), all in violation of Title 21, United States Code, Section 846 (Count 1). The United States would prove defendant Luis MARTINEZ-VEGA guilty beyond a reasonable doubt of actively concealing that felony, in violation of Title 18, United States Code, Section 4 (Count 2). The government would establish the following through credible testimony and the production of reliable evidence:

Homeland Security Investigations, New Orleans (HSI/NO), Financial and certified undercover (CUC) Operation Skymaster group received information from a confidential informant (CI-1) regarding an individual later identified as Terben POUMIAN-RAMIREZ who wished to purchase multi-kilogram quantities of cocaine. CI-1 initiated recorded telephone conversations with POUMIAN-RAMIREZ regarding drug trafficking activities into the United States. Throughout these

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conversations, CI-1 told POUMIAN-RAMIREZ that CI-1 had a source of supply receiving cocaine via the port of New Orleans. POUMIAN-RAMIREZ stated that he had a buyer who wanted to purchase two kilograms of cocaine for transport to the Atlanta, Georgia area. The parties agreed that POUMIAN-RAMIREZ and the buyer, later identified as Aaron SPRIGGS, would travel to New Orleans to meet with CI-1 and purchase several kilograms of cocaine for \$24,000 per kilogram.

On November 7, 2018, POUMIAN-RAMIREZ advised CI-1 that he and SPRIGGS had arrived in New Orleans, Louisiana. In a subsequent WhatsApp text message, CI-1 provided POUMIAN-RAMIREZ with the address of 4316 Veterans Boulevard, Metairie, Louisiana as the location at which to meet. At about 1:45 p.m. that day, HSI special agents and members of the Jefferson Parish Sheriff's Office (JPSO) initiated surveillance by that address. At about 2:03 p.m., surveillance teams witnessed two vehicles bearing Georgia license plates arrive at that location. SPRIGGS was driving a White Lexus SUV, and POUMIAN-RAMIREZ was observed exiting a tan Ford F-150 truck. Both POUMIAN-RAMIREZ and SPRIGGS met with CI-1 and an HSI undercover agent (UC) inside of an Izzo's Illegal Burrito restaurant at that location. SPRIGGS discussed his interest in purchasing five kilograms of cocaine, up from the two kilos previously discussed.

Shortly thereafter, all parties entered the UC's vehicle located in the parking lot, and while inside, SPRIGGS and POUMIAN-RAMIREZ were permitted to inspect a kilogram of cocaine while, unbeknownst to them, they were being video recorded by in-car video. Satisfied with the sample of cocaine, SPRIGGS permitted the UC and CI-1 to examine SPRIGGS's currency for the transaction, concealed inside a small backpack in the rear passenger seat area of SPRIGGS's Lexus.

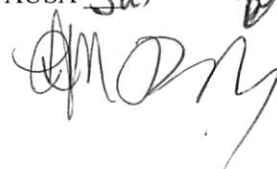
After the flash of currency, surveillance teams executed a probable cause arrest of SPRIGGS and POUMIAN-RAMIREZ and seized the backpack containing \$100,000 in U.S. currency. JPSO

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deputies obtained a Louisiana state search warrant for the Lexus belonging to SPRIGGS, and upon execution, located an additional \$35,000 in currency and a Taurus PT111 G2 9mm semi-automatic handgun.

Arrest teams also encountered Rafael MARTINEZ and Luis MARTINEZ-VEGA inside the tan Ford F-150 and detained the men pending further investigation. Both men waived their *Miranda* rights and agreed to speak with HSI agents. MARTINEZ advised that, upon learning that his acquaintance SPRIGGS was interested in purchasing cocaine, he introduced SPRIGGS to POUMIAN-RAMIREZ, MARTINEZ's cousin, whom MARTINEZ believed to have connections to a Colombian source of supply in New Orleans. MARTINEZ advised that the plan was for him and POUMIAN-RAMIREZ to obtain two kilograms on behalf of SPRIGGS for \$24,000 per kilogram and charge SPRIGGS \$27,000 per kilogram, splitting the \$3,000-per-kilo difference amongst themselves. MARTINEZ stated that MARTINEZ-VEGA's role was simply to drive MARTINEZ and POUMIAN-RAMIREZ to New Orleans for the purpose of effecting the drug transaction, for which MARTINEZ-VEGA would be paid \$1,000. MARTINEZ-VEGA offered substantially the same version of events and roles, after he initially had presented an innocent explanation for the trip to New Orleans.

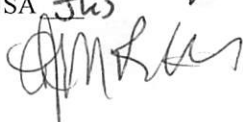
The government, POUMIAN-RAMIREZ, and MARTINEZ agree and stipulate that, for sentencing purposes, the conduct of each defendant, which includes the reasonably foreseeable conduct of the other defendant, involved two kilograms of cocaine. MARTINEZ-VEGA agrees that he had knowledge that he was driving POUMIAN-RAMIREZ and MARTINEZ to New Orleans to facilitate a drug transaction, that he failed to notify an authority as soon as possible, and that he performed an affirmative act, to wit: offering an inaccurate and innocent explanation for the trip upon first speaking with law enforcement, in order to conceal the true felonious purpose. The government

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and MARTINEZ-VEGA agree and stipulate that, for sentencing purposes related to this misprision of a felony, MARTINEZ-VEGA will be held responsible for two kilograms of cocaine, the amount that he believed SPRIGGS would be purchasing from CI-I.

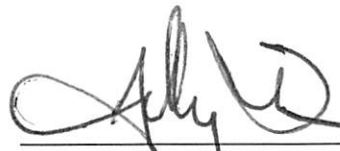
At trial, the government would introduce, among other evidence: the recorded telephonic communications between CI-I and POUMIAN-RAMIREZ; the audio recorded conversation between SPRIGGS, POUMIAN-RAMIREZ, CI-I, and the UC at the Izzo's Illegal Burrito restaurant, the audio/video recording inside the UC's vehicle, the kilogram of cocaine that SPRIGGS and POUMIAN-RAMIREZ sampled inside the vehicle, the U.S. currency and firearm located inside SPRIGGS's vehicle, the post-arrest statements made by MARTINEZ and MARTINEZ-VEGA; and credible testimony from CI-1, the UC, HSI agents, and JPSO deputies regarding the in-person meetings with defendants, surveillance activities of defendants, detentions and arrests of the defendants, post-arrest searches, and post-*Miranda* statements of defendants.

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**Limited Nature of Factual Basis**

This proffer of evidence is not intended to constitute a complete statement of all facts known by SPRIGGS, POUMIAN-RAMIREZ, MARTINEZ, MARTINEZ-VEGA, or the government, but rather is a minimum statement of facts intended to prove the necessary factual predicate for the guilty pleas. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for SPRIGGS's, POUMIAN-RAMIREZ's, and MARTINEZ's pleas of guilty to the offense charged in Count One of the Bill of Information, for MARTINEZ-VEGA's plea of guilty to the offense charged in Count Two of the Bill of Information, and to stipulate that all acts took place within the Eastern District of Louisiana.

READ AND APPROVED:



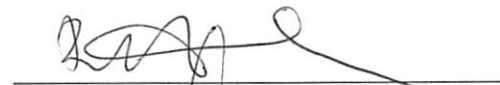
JEFFREY SANDMAN  
Assistant United States Attorney



AARON SPRIGGS  
Defendant



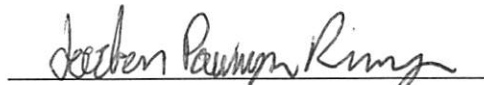
DYLAN C. UTLEY  
Attorney for Defendant Aaron Spriggs



RAFAEL MARTINEZ  
Defendant



JESSICA LaCAMBRA MULLALY  
Attorney for Defendant Rafael Martinez



TERBEN POUMIAN-RAMIREZ  
Defendant



AVERY BRYCE PARDEE  
Attorney for Defendant  
Terben Poumian-Ramirez



LUIS MARTINEZ-VEGA  
Defendant



DAVID L. ARENA  
Attorney for Defendant  
Luis Martinez-Vega

~~Defendant~~  
~~Def. Att.~~  
~~AUSA~~